

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kenneth James Jasorka,

Civil 10-3992 SRN/FLN

Plaintiff,

v.

REPORT AND
RECOMMENDATION

Reiter & Schiller, PA,

Defendant.

This case was commenced on September 21, 2010. On April 18, 2011, the case was dismissed as to all Defendants except Reiter & Schiller. It appears that defendant Reiter & Schiller was never properly served with the lawsuit. On April 26, 2011, the Court entered an Order directing Plaintiff to either seek a waiver of service from Defendant Reiter & Schiller, or to properly serve Defendant Reiter & Schiller under the Federal Rules of Civil Procedure. In October 2011, the Court referred Plaintiff to the Federal Bar Association's Pro Se Project. Although a lawyer was located to assist Mr. Jasorka, the lawyer reported on January 23, 2012, that, despite several efforts to contact the Plaintiff, the Plaintiff never responded.

Based upon the foregoing and all of the files, records and proceedings herein, IT IS
HEREBY RECOMMENDED that the case be dismissed for failure to prosecute.

DATED: January 24, 2012.

s/ Franklin L. Noel

FRANKLIN L. NOEL
United States Magistrate Judge

Pursuant to the Local Rules, any party may object to this Report and Recommendation by filing with the Clerk of Court and serving on all parties, on or before **February 7, 2012**, written objections which specifically identify the portions of the proposed findings or recommendations

to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's brief within ten days after service thereof. All briefs filed under the rules shall be limited to 3500 words. A judge shall make a de novo determination of those portions to which objection is made.

This Report and Recommendation does not constitute an order or judgment of the District Court, and it is, therefore, not appealable to the Circuit Court of Appeals.